

## § 98.350

## 40 CFR Ch. I (7–1–12 Edition)

[74 FR 56374, Oct. 30, 2009, as amended at 75 FR 66474, Oct. 28, 2010]

### Subpart II—Industrial Wastewater Treatment

SOURCE: 75 FR 39767, July 12, 2010, unless otherwise noted.

#### § 98.350 Definition of source category.

(a) This source category consists of anaerobic processes used to treat industrial wastewater and industrial wastewater treatment sludge at facilities that perform the operations listed in this paragraph.

- (1) Pulp and paper manufacturing.
- (2) Food processing.
- (3) Ethanol production.
- (4) Petroleum refining.

(b) An *anaerobic process* is a procedure in which organic matter in wastewater, wastewater treatment sludge, or other material is degraded by micro-organisms in the absence of oxygen, resulting in the generation of CO<sub>2</sub> and CH<sub>4</sub>. This source category consists of the following: anaerobic reactors, anaerobic lagoons, anaerobic sludge digesters, and biogas destruction devices (for example, burners, boilers, turbines, flares, or other devices).

(1) An *anaerobic reactor* is an enclosed vessel used for anaerobic wastewater treatment (e.g., upflow anaerobic sludge blanket, fixed film).

(2) An *anaerobic sludge digester* is an enclosed vessel in which wastewater treatment sludge is degraded anaerobically.

(3) An *anaerobic lagoon* is a lined or unlined earthen basin used for wastewater treatment, in which oxygen is absent throughout the depth of the basin, except for a shallow surface zone. Anaerobic lagoons are not equipped with surface aerators. Anaerobic lagoons are classified as deep (depth more than 2 meters) or shallow (depth less than 2 meters).

(c) This source category does not include municipal wastewater treatment plants or separate treatment of sanitary wastewater at industrial sites.

[75 FR 39767, July 12, 2010, as amended at 76 FR 73903, Nov. 29, 2011]

#### § 98.351 Reporting threshold.

You must report GHG emissions under this subpart if your facility meets all of the conditions under paragraphs (a) or (b) of this section:

(a) *Petroleum refineries and pulp and paper manufacturing.*

(1) The facility is subject to reporting under subpart Y of this part (Petroleum Refineries) or subpart AA of this part (Pulp and Paper Manufacturing).

(2) The facility meets the requirements of either § 98.2(a)(1) or (2).

(3) The facility operates an anaerobic process to treat industrial wastewater and/or industrial wastewater treatment sludge.

(b) *Ethanol production and food processing facilities.*

(1) The facility performs an ethanol production or food processing operation, as defined in § 98.358 of this subpart.

(2) The facility meets the requirements of § 98.2(a)(2).

(3) The facility operates an anaerobic process to treat industrial wastewater and/or industrial wastewater treatment sludge.

#### § 98.352 GHGs to report.

(a) You must report CH<sub>4</sub> generation, CH<sub>4</sub> emissions, and CH<sub>4</sub> recovered from treatment of industrial wastewater at each anaerobic lagoon and anaerobic reactor.

(b) You must report CH<sub>4</sub> emissions and CH<sub>4</sub> recovered from each anaerobic sludge digester.

(c) You must report CH<sub>4</sub> emissions and CH<sub>4</sub> destruction resulting from each biogas collection and biogas destruction device.

(d) You must report under subpart C of this part (General Stationary Fuel Combustion Sources) the emissions of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O from each stationary combustion unit associated with the biogas destruction device, if present, by following the requirements of subpart C of this part.

[75 FR 39767, July 12, 2010, as amended at 76 FR 73903, Nov. 29, 2011]

#### § 98.353 Calculating GHG emissions.

(a) For each anaerobic reactor and anaerobic lagoon, estimate the annual mass of CH<sub>4</sub> generated according to the

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applicable requirements in paragraphs (a)(1) through (a)(2) of this section.

(1) If you measure the concentration of organic material entering the anaerobic reactors or anaerobic lagoon using

methods for the determination of chemical oxygen demand (COD), then estimate annual mass of CH<sub>4</sub> generated using Equation II-1 of this section.

$$CH_4G_n = \sum_{w=1}^{52} [Flow_w * COD_w * B_o * MCF * 0.001] \quad (\text{Eq. II-1})$$

Where:

CH<sub>4</sub>G<sub>n</sub> = Annual mass CH<sub>4</sub> generated from the nth anaerobic wastewater treatment process (metric tons).

n = Index for processes at the facility, used in Equation II-7.

w = Index for weekly measurement period.

Flow<sub>w</sub> = Volume of wastewater sent to an anaerobic wastewater treatment process in week w (m<sup>3</sup>/week), measured as specified in § 98.354(d).

COD<sub>w</sub> = Average weekly concentration of chemical oxygen demand of wastewater entering an anaerobic wastewater treatment process (for week w)(kg/m<sup>3</sup>), measured as specified in § 98.354(b) and (c).

B<sub>0</sub> = Maximum CH<sub>4</sub> producing potential of wastewater (kg CH<sub>4</sub>/kg COD), use the value 0.25.

MCF = CH<sub>4</sub> conversion factor, based on relevant values in Table II-1 of this subpart.  
0.001 = Conversion factor from kg to metric tons.

(2) If you measure the concentration of organic material entering an anaerobic reactor or anaerobic lagoon using methods for the determination of 5-day biochemical oxygen demand (BOD<sub>5</sub>), then estimate annual mass of CH<sub>4</sub> generated using Equation II-2 of this section.

$$CH_4G_n = \sum_{w=1}^{52} [Flow_w * BOD_{5,w} * B_o * MCF * 0.001] \quad (\text{Eq. II-2})$$

Where:

CH<sub>4</sub>G<sub>n</sub> = Annual mass of CH<sub>4</sub> generated from the anaerobic wastewater treatment process (metric tons).

n = Index for processes at the facility, used in Equation II-7.

w = Index for weekly measurement period.

Flow<sub>w</sub> = Volume of wastewater sent to an anaerobic wastewater treatment process in week w(m<sup>3</sup>/week), measured as specified in § 98.354(d).

BOD<sub>5,w</sub> = Average weekly concentration of 5-day biochemical oxygen demand of wastewater entering an anaerobic wastewater treatment process for week w(kg/m<sup>3</sup>), measured as specified in § 98.354(b) and (c).

B<sub>0</sub> = Maximum CH<sub>4</sub> producing potential of wastewater (kg CH<sub>4</sub>/kg BOD<sub>5</sub>), use the value 0.6.

MCF = CH<sub>4</sub> conversion factor, based on relevant values in Table II-1 to this subpart.

0.001 = Conversion factor from kg to metric tons.

(b) For each anaerobic reactor and anaerobic lagoon from which biogas is not recovered, estimate annual CH<sub>4</sub> emissions using Equation II-3 of this section.

$$CH_4E_n = CH_4G_n \quad (\text{Eq. II-3})$$

Where:

CH<sub>4</sub>E<sub>n</sub> = Annual mass of CH<sub>4</sub> emissions from the wastewater treatment process n from which biogas is not recovered (metric tons).

CH<sub>4</sub>G<sub>n</sub> = Annual mass of CH<sub>4</sub> generated from the wastewater treatment process n, as calculated in Equation II-1 or II-2 of this section (metric tons).

(c) For each anaerobic sludge digester, anaerobic reactor, or anaerobic lagoon from which some biogas is recovered, estimate the annual mass of CH<sub>4</sub> recovered according to the requirements in paragraphs (c)(1) and (c)(2) of this section. To estimate the annual

mass of CH<sub>4</sub> recovered, you must continuously monitor biogas flow rate and determine the volume of biogas each week and the cumulative volume of biogas each year that is collected and routed to a destruction device as specified in § 98.354(h). If the gas flow meter is not equipped with automatic correction for temperature, pressure, or, if necessary, moisture content, you must determine these parameters as specified in paragraph (c)(2)(ii) of this section.

(1) If you continuously monitor CH<sub>4</sub> concentration (and if necessary, tem-

perature, pressure, and moisture content required as specified in § 98.354(f)) of the biogas that is collected and routed to a destruction device using a monitoring meter specifically for CH<sub>4</sub> gas, as specified in § 98.354(g), you must use this monitoring system and calculate the quantity of CH<sub>4</sub> recovered for destruction using Equation II-4 of this section. A fully integrated system that directly reports CH<sub>4</sub> quantity requires only the summing of results of all monitoring periods for a given year.

$$R_n = \sum_{m=1}^M \left[ (V)_m * (K_{MC})_m * \frac{(C_{CH_4})_m}{100\%} * 0.0423 * \frac{520^\circ R}{(T)_m} * \frac{(P)_m}{1 \text{ atm}} * \frac{0.454}{1,000} \right] \quad (\text{Eq. II-4})$$

Where:

$R_n$  = Annual quantity of CH<sub>4</sub> recovered from the nth anaerobic reactor, sludge digester, or lagoon (metric tons CH<sub>4</sub>/yr)

$n$  = Index for processes at the facility, used in Equation II-7.

$M$  = Total number of measurement periods in a year. Use  $M = 365$  ( $M = 366$  for leap years) for daily averaging of continuous monitoring, as provided in paragraph (c)(1) of this section. Use  $M = 52$  for weekly sampling, as provided in paragraph (c)(2) of this section.

$m$  = Index for measurement period.

$(V)_m$  = Cumulative volumetric flow for the measurement period in actual cubic feet (acf). If no biogas was recovered during a monitoring period, use zero.

$(K_{MC})_m$  = Moisture correction term for the measurement period, volumetric basis.

= 1 when  $(V)_m$  and  $(C_{CH_4})_m$  are measured on a dry basis or if both are measured on a wet basis.

=  $1 - (f_{H_2O})_m$  when  $(V)_m$  is measured on a wet basis and  $(C_{CH_4})_m$  is measured on a dry basis.

=  $1/[1 - (f_{H_2O})_m]$  when  $(V)_m$  is measured on a dry basis and  $(C_{CH_4})_m$  is measured on a wet basis.

$(f_{H_2O})_m$  = Average moisture content of biogas during the measurement period, volumetric basis, (cubic feet water per cubic feet biogas).

$(C_{CH_4})_m$  = Average CH<sub>4</sub> concentration of biogas during the measurement period, (volume %).

0.0423 = Density of CH<sub>4</sub> lb/cf at 520 °R or 60 °F and 1 atm.

520 °R = 520 degrees Rankine.

$T_m$  = Average temperature at which flow is measured for the measurement period (°R). If the flow rate meter automatically corrects for temperature to 520° R, replace "520° R/ $T_m$ " with "1".

$P_m$  = Average pressure at which flow is measured for the measurement period (atm). If the flow rate meter automatically corrects for pressure to 1 atm, replace " $P_m/1$ " with "1".

0.454/1,000 = Conversion factor (metric ton/lb).

(2) If you do not continuously monitor CH<sub>4</sub> concentration according to paragraph (c)(1) of this section, you must determine the CH<sub>4</sub> concentration, temperature, pressure, and, if necessary, moisture content of the biogas that is collected and routed to a destruction device according to the requirements in paragraphs (c)(2)(i) through (c)(2)(ii) of this section and calculate the quantity of CH<sub>4</sub> recovered for destruction using Equation II-4 of this section.

(i) Determine the CH<sub>4</sub> concentration in the biogas that is collected and routed to a destruction device in a location near or representative of the location of the gas flow meter at least once each calendar week; if only one measurement is made each calendar week, there must be least three days between measurements. For a given calendar

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week, you are not required to determine CH<sub>4</sub> concentration if the cumulative volume of biogas for that calendar week, determined as specified in paragraph (c) of this section, is zero.

(ii) If the gas flow meter is not equipped with automatic correction for temperature, pressure, or, if necessary, moisture content:

(A) Determine the temperature and pressure in the biogas that is collected and routed to a destruction device in a location near or representative of the location of the gas flow meter at least once each calendar week; if only one measurement is made each calendar week, there must be at least three days between measurements.

(B) If the CH<sub>4</sub> concentration is determined on a dry basis and biogas flow is determined on a wet basis, or CH<sub>4</sub> concentration is determined on a wet basis and biogas flow is determined on a dry basis, and the flow meter does not automatically correct for moisture content, determine the moisture content in the biogas that is collected and routed to a destruction device in a location near or representative of the location of the gas flow meter at least once each calendar week that the cumulative biogas flow measured as specified in § 98.354(h) is greater than zero; if only one measurement is made each calendar week, there must be at least three days between measurements.

(d) For each anaerobic sludge digester, anaerobic reactor, or anaerobic lagoon from which some quantity of biogas is recovered, you must estimate both the annual mass of CH<sub>4</sub> that is generated, but not recovered, according to paragraph (d)(1) of this section and the annual mass of CH<sub>4</sub> emitted according to paragraph (d)(2) of this section.

(1) Estimate the annual mass of CH<sub>4</sub> that is generated, but not recovered, using Equation II-5 of this section.

$$CH_4L_n = R_n * \left( \frac{1}{CE} - 1 \right) \quad (\text{Eq. II-5})$$

Where:

CH<sub>4</sub>L<sub>n</sub> = Leakage at the anaerobic process n (metric tons CH<sub>4</sub>).

n = Index for processes at the facility, used in Equation II-7.

R<sub>n</sub> = Annual quantity of CH<sub>4</sub> recovered from the nth anaerobic reactor, anaerobic lagoon, or anaerobic sludge digester, as calculated in Equation II-4 of this section (metric tons CH<sub>4</sub>).

CE = CH<sub>4</sub> collection efficiency of anaerobic process n, as specified in Table II-2 of this subpart (decimal).

(2) For each anaerobic sludge digester, anaerobic reactor, or anaerobic lagoon from which some quantity of biogas is recovered, estimate the annual mass of CH<sub>4</sub> emitted using Equation II-6 of this section.

$$CH_4E_n = CH_4L_n + R_n (1 - [(DE_1 * f_{Dest\_1}) + (DE_2 * f_{Dest\_2})]) \quad (\text{Eq. II-6})$$

Where:

CH<sub>4</sub>E<sub>n</sub> = Annual quantity of CH<sub>4</sub> emitted from the process n from which biogas is recovered (metric tons).

n = Index for processes at the facility, used in Equation II-7.

CH<sub>4</sub>L<sub>n</sub> = Leakage at the anaerobic process n, as calculated in Equation II-5 of this section (metric tons CH<sub>4</sub>).

R<sub>n</sub> = Annual quantity of CH<sub>4</sub> recovered from the nth anaerobic reactor or anaerobic sludge digester, as calculated in Equation II-4 of this section (metric tons CH<sub>4</sub>).

DE<sub>1</sub> = Primary destruction device CH<sub>4</sub> destruction efficiency (lesser of manufacturer's specified destruction efficiency and 0.99). If the biogas is transported off-site for destruction, use DE = 1.

f<sub>Dest-1</sub> = Fraction of hours the primary destruction device was operating (device op-

erating hours/hours in the year). If the biogas is transported off-site for destruction, use f<sub>Dest</sub> = 1.

DE<sub>2</sub> = Back-up destruction device CH<sub>4</sub> destruction efficiency (lesser of manufacturer's specified destruction efficiency and 0.99).

f<sub>Dest-2</sub> = Fraction of hours the back-up destruction device was operating (device operating hours/hours in the year).

(e) Estimate the total mass of CH<sub>4</sub> emitted from all anaerobic processes from which biogas is not recovered (calculated in Eq. II-3) and all anaerobic processes from which some biogas is recovered (calculated in Equation II-6) using Equation II-7 of this section.

$$CH_4E_T = \sum_{n=1}^j CH_4E_n \quad (\text{Eq. II-7})$$

Where:

$CH_4E_T$  = Annual mass  $CH_4$  emitted from all anaerobic processes at the facility (metric tons).

$n$  = Index for processes at the facility.

$CH_4E_n$  = Annual mass of  $CH_4$  emissions from process  $n$  (metric tons).

$j$  = Total number of processes from which methane is emitted.

[75 FR 39767, July 12, 2010, as amended at 76 FR 73903, Nov. 29, 2011]

#### § 98.354 Monitoring and QA/QC requirements.

(a) For calendar year 2011 monitoring, the facility may submit a request to the Administrator to use one or more best available monitoring methods as listed in § 98.3(d)(1)(i) through (iv). The request must be submitted no later than October 12, 2010 and must contain the information in § 98.3(d)(2)(ii). To obtain approval, the request must demonstrate to the Administrator's satisfaction that it is not reasonably feasible to acquire, install, and operate a required piece of monitoring equipment by January 1, 2011. The use of best available monitoring methods will not be approved beyond December 31, 2011.

(b) You must determine the concentration of organic material in wastewater treated anaerobically using analytical methods for COD or  $BOD_5$  specified in 40 CFR 136.3 Table 1B. For the purpose of determining concentrations of wastewater influent to the anaerobic wastewater treatment process, samples may be diluted to the concentration range of the approved method, but the calculated concentration of the undiluted wastewater must be used for calculations and reporting required by this subpart.

(c) You must collect samples representing wastewater influent to the anaerobic wastewater treatment process, following all preliminary and primary treatment steps (*e.g.*, after grit removal, primary clarification, oil-water separation, dissolved air flotation, or similar solids and oil separation processes). You must collect and analyze samples for COD or  $BOD_5$  con-

centration at least once each calendar week that the anaerobic wastewater treatment process is operating; if only one measurement is made each calendar week, there must be at least three days between measurements. You must collect a sample that represents the average COD or  $BOD_5$  concentration of the waste stream over a 24-hour sampling period. You must collect a minimum of four sample aliquots per 24-hour period and composite the aliquots for analysis. Collect a flow-proportional composite sample (either constant time interval between samples with sample volume proportional to stream flow, or constant sample volume with time interval between samples proportional to stream flow). Follow sampling procedures and techniques presented in Chapter 5, Sampling, of the "NPDES Compliance Inspection Manual," (incorporated by reference, *see* § 98.7) or Section 7.1.3, Sample Collection Methods, of the "U.S. EPA NPDES Permit Writers' Manual," (incorporated by reference, *see* § 98.7).

(d) You must measure the flowrate of wastewater entering anaerobic wastewater treatment process at least once each calendar week that the process is operating; if only one measurement is made each calendar week, there must be at least three days between measurements. You must measure the flowrate for the 24-hour period for which you collect samples analyzed for COD or  $BOD_5$  concentration. The flow measurement location must correspond to the location used to collect samples analyzed for COD or  $BOD_5$  concentration. You must measure the flowrate using one of the methods specified in paragraphs (d)(1) through (d)(5) of this section or as specified by the manufacturer.

(1) ASME MFC-3M-2004 Measurement of Fluid Flow in Pipes Using Orifice, Nozzle, and Venturi (incorporated by reference, *see* § 98.7).

(2) ASME MFC-5M-1985 (Reaffirmed 1994) Measurement of Liquid Flow in Closed Conduits Using Transit-Time Ultrasonic Flowmeters (incorporated by reference, *see* § 98.7).

(3) ASME MFC-16-2007 Measurement of Liquid Flow in Closed Conduits with Electromagnetic Flowmeters (incorporated by reference, *see* § 98.7).